John B. Koegel (JK 4762)
THE KOEGEL GROUP LLP
161 Avenue of the Americas
New York, New York 10013
(212) 255-7744
Attorneys for Defendant, Art Loss Register

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

JUDY GOFFMAN CUTLER,

Plaintiff,

07 CV 3807 (LAP)

- against -

ART LOSS REGISTER, INC. and JACK SOLOMON,

Defendants.

NOTICE OF MOTION

PLEASE TAKE NOTICE that, upon the Amended Complaint filed in this action, the accompanying Memorandum of Law in Support of Defendant's Motion to Dismiss and declaration of Christopher A. Marinello, Esq., dated July 24, 2007, Defendant Art Loss Register, Inc. will move this Court, before Hon. Loretta A. Preska, United States District Judge, in Courtroom 1320 of the United States Courthouse, 500 Pearl Street, New York, New York 10007, for an order, pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, to dismiss Plaintiff's Amended Complaint with prejudice against this Defendant, and for such other and further relief in favor of this Defendant as the Court may deem just and proper.

The requested order of dismissal should issue because the single count pleaded against Defendant Art Loss Register fails to sufficiently allege all of the elements required to state a valid claim for prima facie tort upon which relief can be granted.

Dated: New York, New York July 30, 2007

THE KOEGEL GROUP LLP

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John B. Koegel (JK 4762)

Attorneys for Defendant, Art Loss Register 161 Avenue of the Americas New York, New York 10013 (212) 255-7744

To: Martin Bressler
Attorney for Plaintiff
349 D Heritage Hills
Somers, New York 10589

Michael R. Mushkin MUSHKIN & HAHER Attorneys for Defendant, Jack Solomon 4475 S. Pecos Road Las Vegas, Nevada 89121